

House File 392

H-1115

1 Amend House File 392 as follows:
2 1. Page 2, by striking line 7 and inserting:
3 <Sec. _____. Section 126.25, Code 2013, is amended by
4 striking the section and inserting in lieu thereof the
5 following:
6 **126.25 Human immunodeficiency virus home testing**
7 **kits — sales restrictions — penalties.**
8 1. A home testing kit for human immunodeficiency
9 virus antibody or antigen testing shall not be sold in
10 this state unless the sale complies with all of the
11 following requirements:
12 a. The home testing kit is sold by a licensed
13 pharmacy, and a pharmacist or pharmacy technician as
14 defined in section 155A.3 provides for the sale of the
15 home testing kit from a locked cabinet or from behind a
16 sales counter which is not accessible to the public.
17 b. A pharmacist or pharmacy technician consults
18 with the consumer prior to the sale and the
19 consultation includes informing the consumer of the
20 need to seek in-person follow-up with a health care
21 provider to obtain confirmation of and additional
22 information regarding any test results.
23 2. The Iowa department of public health, in
24 consultation with the board, shall adopt rules to
25 establish what constitutes a home testing kit for the
26 purposes of this section.
27 3. The board may seek injunctive relief pursuant to
28 section 126.4 restraining any person from violating the
29 provisions of this section. In addition, a pharmacy,
30 pharmacist, or pharmacy technician who violates this
31 section is subject to discipline pursuant to section
32 155A.12 or 155A.15, as applicable.>
33 2. Title page, line 2, after <health> by inserting
34 <and providing penalties>
35 3. By renumbering as necessary.

LUNDBY of Linn